

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY
CAMDEN VICINAGE

IN RE: VALSARTAN, LOSARTAN,
AND IRBESARTAN PRODUCTS
LIABILITY LITIGATION

Hon. Robert Kugler
Magistrate Karen Williams
Special Master Thomas Vanaskie

Civil No. 1:19-md-2875-RBK-JS

This Document Relates to:

All Actions

DECLARATION OF MARLENE J. GOLDBERG

I, Marlene J. Goldenberg, of full age, hereby declare as follows:

1. I am an attorney of the State of Minnesota, a member of good standing of the bar of this Court, and am employed with the law firm GoldenbergLaw, PLLC, counsel to Plaintiffs.
2. I make this Declaration on behalf of Plaintiffs in support of their Reply in Support of Plaintiffs' Motion to Strike and Suppress All of Aurobindo's Defenses.
3. Attached hereto as Exhibit BB is a true and correct copy of APL-MDL-2875-1153365.
4. Attached hereto as Exhibit CC is a true and correct copy of APL-MDL-2875-0271139.
5. Attached hereto as Exhibit DD is a true and correct copy of APL-MDL-2875-0916808.
6. Attached hereto as Exhibit EE is a true and correct copy of APL-MDL-2875-0979309.
7. Attached hereto as Exhibit FF is a true and correct copy of the May 3, 2021 hearing transcript.
8. Attached hereto as Exhibit GG is a true and correct copy of Aurobindo's most recent production log with deposition dates added in. Plaintiffs have highlighted the cells denoting

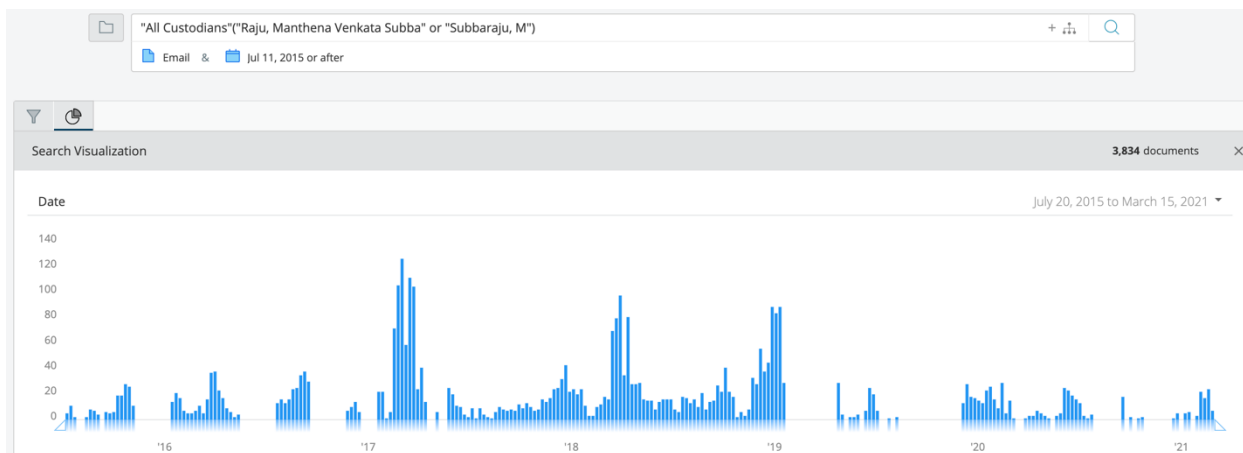
- the dates on which each witness has been deposed to date, as well as those entries showing the last-minute productions made as to those custodians immediately before their depositions.
9. Attached hereto as Exhibit HH is a true and correct copy of the transcript from the deposition of Dr. Ambati Rama Mohana Rao.
 10. Attached hereto as Exhibit II is a true and correct copy of Aurobindo Pharma Ltd.'s Corporate Email Policy.
 11. Attached hereto as Exhibit JJ is a true and correct copy of "The Sedona Conference Commentary on Legal Holds, Second Edition: The Trigger & The Process."
 12. Attached hereto as Exhibit KK is a true and correct copy of the LinkedIn profile of Subba Raju Manthena.
 13. Attached hereto as Exhibit LL is a true and correct copy of LinkedIn profile of Srinivassa Reddy Alla.
 14. Attached hereto as Exhibit MM is a true and correct copy of APL-MDL-2875-1793900.
 15. Attached hereto as Exhibit NN is a true and correct copy of APL-MDL-2875-1778977.
 16. Attached hereto as Exhibit OO is a true and correct copy of APL-MDL-2875-1793746.
 17. Attached hereto as Exhibit PP is a true and correct copy of an email dated March 24, 2021 from Jessica Heinz concerning the Lantech custodians.
 18. After Aurobindo served its Certificate of Compliance (Ex. O), Aurobindo's production log (Ex. GG) contains references to additional standard operating procedures being produced by the US entities on April 3, 2021. This entry states that the associated bates range also contains custodial data for Sanjay Singh. In order to isolate the standard operating procedures and determine that there were approximately 167 SOPs included in this production, Plaintiffs ran the following search: "batesNumbers(Auro-MDL 2875-0114616 to Auro-MDL 2875-

0119925) & (“standard operating procedure”) & (“SOP No.”) & (“Revision No.”) & (“Effective Date”).”

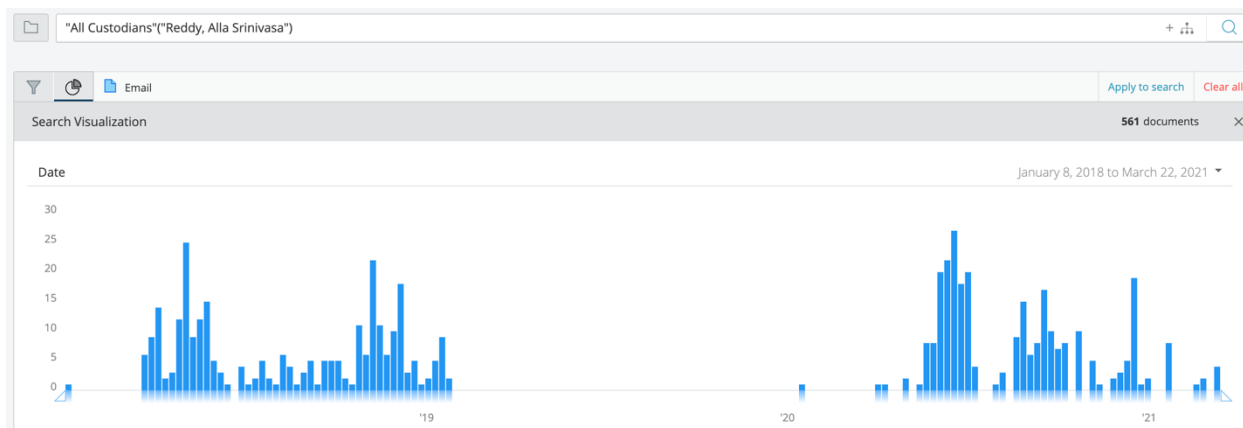
19. Aurobindo’s production log also notes that it made a production of standard operating procedures on March 31, 2021. Ex. P. However, upon examining this production, Plaintiffs were able to find very few (if any) standard operating procedures within this Bates range. As a result, Plaintiffs ran a similar search to identify standard operating procedures produced after March 9, 2021, which built in a cushion for Plaintiffs’ vendor to have loaded anything produced on March 4, when Aurobindo served its certification: “(“standard operating procedure”) & batesPrefix(“APL-MDL-2875-“) & (“review date”) & loaddate(after 03/09/21) & (“revision summary”).” This search yielded 1,468 results. This was then narrowed to eliminate email and excel documents, leaving only pdf files, which reduced the final number to 1,450 documents.

20. Aurobindo’s production log indicates that it produced data from shared drives on April 28 and 29, 2021. The logs show that the documents produced also related to a number of custodians. Plaintiffs therefore ran a search within the specified bates ranges (APL-MDL-2875-1111087 to APL-MDL-2875-1515314) and totaled up the number of documents which were not attributed to custodians. The custodians assigned to this data were “Unspecified Custodian” and “Aurobindo Pharma Ltd.” The documents assigned to these two custodians 417 and 406, respectively, total 823.

21. Based upon the search run below, Aurobindo’s production of emails for MV Subba Raju shows large holes during various points in 2016, 2017, 2019, 2020, and 2021:



22. Based upon the search run below, Aurobindo's production of emails for A Srinivasa Reddy shows that no emails were produced between the beginning of 2019 and the first quarter of 2020, with one or two exceptions:



23. The timeline below shows the result of a search for all emails produced from the custodial file of Buggala Nagaraju and shows that only 31 emails were produced:

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